

REM (01/09/2004)  
includes signature which was not present on original.

Katayoon DEHESH *et al.*  
Appl. No. 09/591,279  
Page 12

### Remarks

Claims 4, 30, 39, 42, 53, and 57 have been amended without prejudice, and claims 65-78 are added. Claims 4-7 and 28-78 are pending after entry of the present amendment. No new matter enters by way of the present amendment. Moreover, such amendments remove issues for appeal, do not require further search or consideration, and are believed to place the claims in condition for allowance. As such, entry of the present amendment is respectfully requested. Support for the foregoing claim amendments may be found throughout the specification, and in the original claims. Specifically, support can be found, for example, at page 1, line 21 through page 2, line 2; page 6, line 24 through page 7, line 5; page 7, line 25 through page 8, line 26; and page 22, lines 10-24 of the specification as filed.

Applicants thank the Examiner for his note regarding claim 30, provided in item 4 of the Advisory Action. Claim 30 is hereby amended as was discussed with the Examiner on December 22, 2003. Applicants further thank the Examiner for acknowledging Sequence Compliance in item 2 of the Advisory Action. The Amendment submitted September 25, 2003 is replaced by the Amendment submitted herewith.<sup>2</sup>

#### **I. Rejections Under 35 U.S.C. 112, Second Paragraph**

Claims 39, 41, 42, and 53 (claims 54-64 dependent therefrom) stand rejected under 35 U.S.C. § 112, second paragraph, for purportedly being indefinite. According to the Examiner, claims 53 (claims 54-64 dependent therefrom) are indefinite for reciting "elongator molecule". Final Action at page 3.

---

<sup>2</sup> *Id.*

Applicants respectfully direct the Examiner's attention to the specification as filed for the definition and examples of elongator molecules, for example, page 1, line 21 through page 2, line 2; page 6, line 24 through page 7, line 5; and page 7, line 25 through page 8, line 26. Although Applicants traverse the rejection, the rejected claims have been amended without prejudice to facilitate prosecution. By the present amendment, any claims referring to an "elongator molecule" have been amended without prejudice to recite a "substrate".

Claims 39 and 42 have been amended without prejudice to correct typographical mistakes. Therefore, in light of the present amendment and for at least the reasons provided, it is submitted that this rejection is moot, and withdrawal of the rejection is respectfully requested.

## **II. Rejection Under 35 U.S.C. § 112, First Paragraph, Written Description**

Claims 4-7, 29-34, 44-46, and 51-58 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way so to reasonably convey to one skill in the art that the inventors had possession of the claimed invention at the time the application was filed. *See* Final Action at page 3. The Examiner argues that this is a new matter rejection. *Id.* Although Applicants disagree with the rejection, the rejected claims have been amended without prejudice to facilitate prosecution.

The amended claims recite a substitution of a hydrophobic residue to a smaller residue (claim 4); a substitution of a hydrophobic residue to a different hydrophobic residue (claim 30); or a substitution that widens the hydrophobic fatty acid binding pocket (claim 53). Read in light of the specification, the substitutions are fully described, for example, at page 22, lines 10-24 and Figure 12 in the specification as filed.

Accordingly, for at least the foregoing reasons, Applicants believe that the pending claims are fully described in the specification as to reasonably convey to one skill in the art that the inventors had possession of the claimed invention at the time the application was filed. As such, withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, written description, is respectfully requested.

COPY

Katayoon DEHESH *et al.*  
Appl. No. 09/591,279  
Page 14

**Conclusion**

In view of the foregoing amendments, Applicants believe that the application is in condition for allowance and solicit a Notice of Allowance indicating such at the earliest possible time. The Examiner is encouraged to contact the undersigned should any additional information be necessary.

Respectfully submitted,



David R. Marsh (Reg. Attorney No. 41,408)  
Kristan L. Lansbery (Reg. Agent No. 53,183)

Date: January 9, 2004

ARNOLD & PORTER  
555 Twelfth Street, NW  
Washington, D.C. 20004  
(202) 942-5000 telephone  
(202) 942-5999 facsimile